

# PROPOSED CONSTITUTIONAL AMENDMENTS

## HOUSE JOINT RESOLUTIONS

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### H.J.R. No. 6

#### A JOINT RESOLUTION

proposing a constitutional amendment authorizing the denial of bail to a person who violates certain court orders or conditions of release in a felony or family violence case.

*BE IT RESOLVED BY THE Legislature of the State of Texas:*

SECTION 1. Article I, Texas Constitution, is amended by amending Section 11b and adding Section 11c to read as follows:

Sec. 11b. Any person *who is accused in this state* of a felony or an offense involving family violence, ~~[in this state]~~ who is released on bail pending trial, and whose bail is subsequently revoked or forfeited for a violation of a condition of release may be denied bail pending trial if ~~[on a determination by]~~ a ~~[district]~~ judge or magistrate in this state ~~determines by a preponderance of the evidence[,]~~ at a subsequent hearing ~~[to set or reinstate bail,]~~ that the person violated a condition of release related to the safety of a victim of the alleged offense or to the safety of the community.

Sec. 11c. *The legislature by general law may provide that any person who violates an order for emergency protection issued by a judge or magistrate after an arrest for an offense involving family violence or who violates an active protective order rendered by a court in a family violence case, including a temporary ex parte order that has been served on the person, or who engages in conduct that constitutes an offense involving the violation of an order described by this section may be taken into custody and, pending trial or other court proceedings, denied release on bail if following a hearing a judge or magistrate in this state determines by a preponderance of the evidence that the person violated the order or engaged in the conduct constituting the offense.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2007. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the denial of bail to a person who violates certain court orders or conditions of release in a felony or family violence case."

Passed by the House on May 3, 2007: Yeas 143, Nays 0, 1 present, not voting; passed by the Senate on May 23, 2007: Yeas 31, Nays 0.

Filed with the Secretary of State, May 29, 2007.

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### H.J.R. No. 19

#### A JOINT RESOLUTION

proposing a constitutional amendment to require each house of the legislature to take a record vote on final passage of a bill other than certain local bills, of a resolution proposing or ratifying a constitutional amendment, or of any other nonceremonial resolution, and to publish the record vote on the Internet.

*BE IT RESOLVED BY THE Legislature of the State of Texas:*

SECTION 1. Section 12, Article III, Texas Constitution, is amended to read as follows:

Sec. 12. (a) Each house of the legislature ~~[House]~~ shall keep a journal of its proceedings, and publish the same.

(b) *A vote taken by either house must be by record vote with the vote of each member entered in the journal of that house if the vote is on final passage of a bill, a resolution proposing or ratifying a constitutional amendment, or another resolution other than a resolution of a purely ceremonial or honorary nature. Either house by rule may provide for exceptions to this requirement for a bill that applies only to one district or political subdivision of this state. For purposes of this subsection, a vote on final passage includes a vote on third reading in a house, or on second reading if the house suspends the requirement for three readings, on whether to concur in the other house's amendments, and on whether to adopt a conference committee report.*

(c) *The [~~y~~ and the] yeas and nays of the members of either house [House] on any other question shall, at the desire of any three members present, be entered on the journals.*

(d) *Each house shall make each record vote required under Subsection (b) of this section, including the vote of each individual member as recorded in the journal of that house, available to the public for a reasonable period of not less than two years through the Internet or a successor electronic communications system accessible by the public. For a record vote on a bill or on a resolution proposing or ratifying a constitutional amendment, the record vote must be accessible to the public by reference to the designated number of the bill or resolution and by reference to its subject.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2007. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to require that a record vote be taken by a house of the legislature on final passage of any bill, other than certain local bills, of a resolution proposing or ratifying a constitutional amendment, or of any other nonceremonial resolution, and to provide for public access on the Internet to those record votes."

Passed by the House on April 17, 2007: Yeas 142, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.J.R. No. 19 on May 25, 2007: Yeas 142, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 23, 2007: Yeas 31, Nays 0.

Filed with the Secretary of State, May 29, 2007.

## H.J.R. No. 30

### A JOINT RESOLUTION

proposing a constitutional amendment to allow the repurchase of real property acquired by a governmental entity through eminent domain.

*BE IT RESOLVED BY THE Legislature of the State of Texas:*

SECTION 1. Article III, Texas Constitution, is amended by adding Section 52j to read as follows:

*Sec. 52j. A governmental entity may sell real property acquired through eminent domain to the person who owned the real property interest immediately before the governmental entity acquired the property interest, or to the person's heirs, successors, or assigns, at the price the entity paid at the time of acquisition if:*

*(1) the public use for which the property was acquired through eminent domain is canceled;*

*(2) no actual progress is made toward the public use during a prescribed period of time;*  
or

*(3) the property is unnecessary for the public use.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2007. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow governmental entities to sell property acquired through eminent domain back to the previous owners at the price the entities paid to acquire the property."